

REMARKS

Claims 1-12 are pending in the application. In the non-final Office Action dated May 2, 2007, the Examiner made the following disposition:

- A.) Objected to claim 1.
- B.) Rejected claims 1-12 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Lehner, et al.* ("Lehner") in view of *O'Shea*.

Applicant respectfully traverses the rejection and addresses the Examiner's disposition below. Claims 1, 5, 11, and 12 have been amended. Claims 3 and 8 have been canceled.

- A.) Objection to claim 1:

Claim 1 has been amended as per the Examiner's request to overcome the objection.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

- B.) Rejection of claims 1-12 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Lehner, et al.* ("Lehner") in view of *O'Shea*:

Applicant respectfully disagrees with the rejection.

Independent claims 1, 6, 11, and 12, each as amended, each claim subject matter relating to asynchronously receiving a first datatype at a subscriber. It is determined whether the subscriber subscribes to at least one additional datatype after receiving the first datatype. There is a query for the at least one additional datatype responsive to a determination that the subscriber subscribes to the at least one additional datatype.

The first datatype includes a reference to a data instance. The data instance is maintained separately from the first datatype. The first datatype includes a metadata including a key that enables the first datatype to be joined with other datatypes having the key in their respective metadata. Determining whether the subscriber subscribes to additional datatypes comprises identifying the key in the first datatype.

This is clearly unlike *Lehner* in view of *O'Shea*, which fails to disclose or suggest asynchronously receiving a datatype having a reference to a data instance that is maintained separately from the datatype. As acknowledged by the Examiner, *Lehner* fails to teach this claimed

subject matter. *Office Action of 5/2/2007*, page 4. *O'Shea* describes a system in which a publisher provides data, such as a text message in a first language. The message is converted to another language or datatype, as specified by a recipient. Thus, the message that is received by the recipient includes the data in a different format.

Unlike Applicant's claimed invention, *O'Shea*'s datatype that is received at the recipient does not include a reference to the data, but instead includes a translated version of the data. The Examiner argues that *O'Shea* teaches a database of datatypes, and the databases include references to data instances. *Office Action of 5/2/2007*, page 6. However, this is unlike Applicant's claimed invention. Applicant's claimed invention claims a datatype that includes a reference to a data instance that is maintained separately from the datatype. To the contrary, *O'Shea* merely teaches that its databases include references to data instances. Nowhere does *O'Shea* teach or suggest a datatype having a reference in a first format to a respective data instance that is maintained separately from the datatype.

For at least these reasons, *Lehner* in view of *O'Shea* fails to disclose or suggest claims 1, 6, 11, and 12.

Claims 2-5 and 7-10 depend directly or indirectly from claim 1 or 6 and are therefore allowable for at least that same reasons that claims 1 and 6 are allowable.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-12 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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